



# RCRA Brownfields or Not?

*Partnering with States and Local Communities*



## Determining if a site is a potential RCRA Brownfields Prevention project

### *Factors Potentially Indicating a RCRA Brownfield With Redevelopment Potential*

### *Factors Generally Indicating Not a RCRA Brownfield*

The property is, or will be, subject to RCRA cleanup requirements.

The property is not regulated by RCRA.

The property, or a part of the property, is abandoned, idle, or not fully utilized.

The property is operating efficiently, and/or providing a community benefit.

The property, or a part of the property, will potentially be put out of use in the near future.

The current owner/operator is financially sound and will continue to use the property.

A new company/owner/operator is expected to take over and the new use is not fully determined.

The property has long-term operating prospects under its current use.

The local community is not satisfied with the current status of the property.

The local community is satisfied with the current status of the property.

Concerns about real or perceived hazardous waste contamination at the property are causing a delay in cleanup and reuse.

There are no environmental concerns affecting redevelopment or use of the property.

The property is in a location where there is interest in using the land (the site is located in a blighted community or other community that could benefit by bringing the land back into use).

There is no market for the property regardless of its condition.

The property is located in a Brownfields Community or is part of an area-wide Brownfields Assessment.

The property is not located in an area where reuse of the land is desirable.





The current owner is actively looking to redevelop the property.

The current owner has no interest in redeveloping or transferring ownership of the property.

The local community is interested in revitalizing or reusing the land or there is a developer interested in the site or a parcel of the property.

The local government is unwilling to acquire the property through eminent domain from a reluctant owner.

## Questions to ask once you have determined that your site may be a potential RCRA Brownfield

1. What cleanup programs apply or are options at the property (CERCLA, RCRA, VCP, state non-RCRA programs)?
  - a. If more than one program, are the implementing agencies coordinating?
2. What are current issues are delaying cleanup and reuse of this land?
3. How much is known about the contamination?
  - a. Fully understood
  - b. Perceived but not defined
  - c. More information needed
4. Is the community involved in the plan to clean up the land and get the land back into reuse?
  - a. Have community organizations expressed interest in how the land is used?
  - b. Has there been or will there be outreach to the community?
5. Are there entities that have expressed interest in reusing the land?
  - a. Are they aware of the variety of funding mechanisms that brownfields may be able to use towards cleanup and development?
  - b. Have they checked federal, state and local sources for available funding?
6. If no entity is interested in reusing the land, what steps need to be taken to match up an entity with the land? (Is more assessment or cleanup needed to foster a deal?)
7. Is future use confirmed to the extent that it can be incorporated into cleanup plans?
8. What are the scheduling needs of the developer, and how can these needs be accommodated while still meeting any RCRA cleanup goals for the property?
9. Are there any RCRA reforms or innovative approaches that can be used at this property to speed up the process (voluntary RCRA order, state voluntary cleanup program, etc.)?

You can read more about EPA's RCRA program at: <http://www.epa.gov/correctiveaction>.

You can read more about EPA's RCRA Brownfields Prevention Initiative at: <http://www.epa.gov/swerosps/rcrabf/index.html>.

The EPA Brownfields web site for more general brownfields information is: <http://www.epa.gov/brownfields>.